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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/078,607	02/19/2002	William Diaz-Lopez	NHL-DIA-02-C	6176	
24496	7590 08/24/2006		EXAMINER		
	W OFFICES OF HEAR ROOSEVELT STREET	STRIMBU, O	STRIMBU, GREGORY J		
SAN JUAN,		21	ART UNIT	PAPER NUMBER	
·			3634		

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applic	ation No.	Applicant(s)					
Office Action Summary		10/07	8,607	DIAZ-LOPEZ, WILLIAM					
		Exami	ner	Art Unit					
		Grego	ry J. Strimbu	3634					
Period fo	- The MAILING DATE of this commun Reply	ication appears on	the cover sheet with	the correspondence a	ddress				
A SHO WHIC - Exten after S - If NO - Failun Any re	DRTENED STATUTORY PERIOD FOR HEVER IS LONGER, FROM THE M sions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this commercial for reply is specified above, the maximum state to reply within the set or extended period for reply provided by the Office later than three months and patent term adjustment. See 37 CFR 1.704(b).	AILING DATE OF of 37 CFR 1.136(a). In n unication. autory period will apply ar will, by statute, cause the	THIS COMMUNICA o event, however, may a reply nd will expire SIX (6) MONTHS application to become ABANI	TION. be timely filed from the mailing date of this of DONED (35 U.S.C. § 133).					
Status									
1)□	Responsive to communication(s) file	d on .							
	•	2b)☐ This action	is non-final.						
· —	Since this application is in condition	for allowance exc	ept for formal matters	, prosecution as to th	e merits is				
,—	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.								
Disposition	on of Claims								
4)🖂)⊠ Claim(s) <u>1-24</u> is/are pending in the application.								
· -	4a) Of the above claim(s) is/are withdrawn from consideration.								
5)[Claim(s) is/are allowed.								
6)□	Claim(s) is/are rejected.								
7)	Claim(s) is/are objected to.								
8)⊠	8) Claim(s) 1-24 are subject to restriction and/or election requirement.								
Application	on Papers								
9)[] 7	The specification is objected to by the	e Examiner.							
10)[10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).									
11)[The oath or declaration is objected to	by the Examiner	. Note the attached O	ffice Action or form P	TO-152.				
Priority u	nder 35 U.S.C. § 119	÷							
12) <u> </u>	Acknowledgment is made of a claim	for foreign priority	under 35 U.S.C. § 1	19(a)-(d) or (f).					
a)[a) ☐ All b) ☐ Some * c) ☐ None of:								
	1. Certified copies of the priority documents have been received.								
	2. Certified copies of the priority documents have been received in Application No								
	3. Copies of the certified copies			ceived in this Nationa	I Stage				
	application from the Internatio	•							
* \$	ee the attached detailed Office actio	n for a list of the c	ertified copies not red	ceived.					
Attachment	(s)								
_	e of References Cited (PTO-892)		4) Interview Sum	mary (PTO-413)					
2) Notice	e of Draftsperson's Patent Drawing Review (P		Paper No(s)/M	lail Date	(O-152)				
	nation Disclosure Statement(s) (PTO-1449 or No(s)/Mail Date	PTO/SB/08)	6) Other:	mal Patent Application (PT	0-102)				

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Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-8, drawn to a door lock control system, classified in class 049, subclass 031.
- II. Claims 9-11, drawn to a method of controlling a lock on a door, classified in class 049, subclass 506.
- III. Claims 12 and 13, drawn to a control box, classified in class 361, subclass 679.
- IV. Claims 14-24, drawn to a vibration sensor, classified in class 073, subclass 649.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case, the process for using the product, as claimed, can be practiced with another materially different product such as a closure that does not have its own frame.

Inventions I and III are directed to related products. The related inventions are distinct if the inventions as claimed do not overlap in scope, i.e., are mutually exclusive; the inventions as claimed are not obvious variants; and the inventions as claimed are either not capable of use together or can have a materially different design, mode of

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operation, function, or effect. See MPEP § 806.05(j). In the instant case, the inventions are mutually exclusive because the door lock control system as claimed does not require a box or power supply while the control box as claimed does not require a door or a lock. Additionally, the door lock control system and the control box have a materially different design and function.

Inventions I and IV are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the subcombination requires a hollow body, top plate, pendulum, etc. not required by the combination. The subcombination has separate utility such as measuring vibration of an engine.

Inventions II and III are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case, the product, as claimed, can be used in a materially different process of using that product such as a process of controlling the vibration of an engine.

Inventions II and IV are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the

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process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case, the product, as claimed, can be used in a materially different process of using that product such as a process of controlling the vibration of an engine.

Inventions III and IV are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the subcombination requires a hollow body, top plate, pendulum, etc. not required by the combination. The subcombination has separate utility such as measuring vibration of an engine.

Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not

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distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory J. Strimbu Primary Examiner

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August 21, 2006